

Notice of Allowability

Application No.

09/955,928

Examiner

Sow-Fun Hon

Applicant(s)

YANO ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the terminal disclaimer filed 08/09/04.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ The drawings filed on 20 September 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 06162004.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Christopher Lipp on 06/16/04.

The application has been amended as follows:

2. Claim 3: Line 2: Substitute "constituted by" with - - comprises - -.
3. Claim 4: Substitute Line 4, "said optical ... comprising:" with - - said optical sheet comprising : - -
4. The following is an examiner's statement of reasons for allowance:
5. The terminal disclaimer filed 10/02/03 has removed US Application 09/950,790 now US Patent US 6,710,830 as prior art.
6. The terminal disclaimer filed 08/09/04 has removed copending US Application 09/967,983 as prior art.
7. The valid cited prior art of record, US 5,999,243, fails to teach or suggest an optical sheet comprising a retardation film; and a transparent layer provided on one of the two opposite surfaces of said retardation film; wherein said retardation film exhibits $N_z = (n_x - n_z)/(n_x - n_y)$ in a range of from 0.6 to 0.9 and $(n_z - n_y)d$ in a range of from 200 to 350 nm in which d is a thickness of said retardation film, n_z is a refractive index in a direction of a Z axis expressing a direction of the thickness d of said retardation film, n_x is a refractive index in a direction of an X axis

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expressing a direction of said retardation film in a plane perpendicular to said Z axis while said X axis also expresses a direction of the highest in-plane refractive index, and n_y is a refractive index in a direction of a Y axis expressing a direction of said retardation film perpendicular both to said Z axis and to said X axis; and wherein said transparent layer has a thickness not larger than $10\text{ }\mu\text{m}$ and exhibits refractive index anisotropy of n_x equivalent to n_y greater than n_z .

Even when in view of US 5,805,253, it would not have been obvious in the resulting combination for one of ordinary skill in the art to have laminated the retardation film of Kameyama with the transparent layer of Mori which has the refractive index relationship of $n_x \leq n_y > n_z$. See Applicant's arguments in the remarks section of the response dated 03/29/04 (page 10).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to Sow-Fun Hon whose telephone number is (571)272-1492. The examiner can normally be reached Monday to Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached at (571)272-1498. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Hon.

Sow-Fun Hon

08/26/04

William P. Watkins III

**WILLIAM P. WATKINS III
PRIMARY EXAMINER**

*Acting For
Harold Byron*